

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Central Entertainment Group, Inc.,

Case No. 22-cv-2929 (WMW/JFD)

Plaintiff,

ORDER

v.

Lilia's Active, Point B Fulfillment
Solutions, LLC, John Doe and Mary Roe,

Defendants.

This matter is before the Court on Plaintiff Central Entertainment Group, Inc.'s (CEG), motion for attachment, (Dkt. 19), and motion for preliminary injunction, (Dkt. 20). For the reasons addressed below, CEG's motions are denied as moot.

On November 17, 2022, CEG commenced this breach-of-contract action. CEG now moves for attachment of Defendants' property and a preliminary injunction to prevent Defendants from liquidating, transferring or otherwise disposing of goods potentially relevant to CEG's claims. One day after CEG filed these motions, the Court ordered a briefing schedule that set December 9, 2022, as CEG's reply deadline. By December 2, 2022, CEG had served Defendants Point B Fulfillment Solutions, LLC (Point B), and Lilia's Active (Lilia's) with copies of the complaint, summonses and motions.

On December 8, 2022, CEG and Point B filed a stipulation to retain inventory and to withdraw Plaintiff's motions for preliminary injunction and attachment. The stipulation represents that Point B currently possesses goods at issue in this matter and that Point B itself may have claims against Lilia's. Point B objects to CEG's motions as to Point B.

The stipulation between CEG and Point B contains the following three terms: 1) Point B shall retain all inventory of Lilia's currently in its possession and shall refrain from selling, transferring or otherwise disposing of that inventory until further Court order; 2) CEG and Point B reserve the issue of any priority over claims to Lilia's inventory in Point B's possession until further Court order and 3) CEG withdraws its motions for attachment and preliminary injunction as to all Defendants. To date, Lilia's has not made any appearance in this matter.

Pursuant to the stipulation between CEG and Point B, CEG has withdrawn its motion for attachment and preliminary injunction as to all Defendants. Accordingly, the Court denies these motions as moot.

ORDER

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that Plaintiff Central Entertainment Group, Inc.'s, motion for attachment, (Dkt. 19), and motion for preliminary injunction, (Dkt. 20), are **DENIED** as moot.

Dated: December 16, 2022

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge